January 6, 2010

Ms. Marlene H. Dortch
Secretary to the
Federal Communications Commission
Washington, D.C. 20554

Re: *Ex Parte* Presentation
National Broadband Plan
Public Notice Number 8
DA 09-2133 Public Safety, Homeland Security, and Cybersecurity
GN Dockets 09-47, 09-51 and 09-137

Dear Ms. Dortch:

On behalf of the ATX Group, this letter responds to the Commission's *Public Notice* addressing the public safety, homeland security and cybersecurity elements of the National Broadband Plan (NBP). We urge that the NBP embrace the core precepts of Next Generation (NG) 9-1-1 and ensure that the next generation system be built upon principals of open standards and innovation. These include transmitting and connecting voice, data and video from the universe of devices and technologies to the 9-1-1 Center and on to the appropriate emergency service, that NG9-1-1's underlying architecture embrace open platforms to promote wide participation and that the Commission undertake a leadership role in NG9-1-1.

ATX, a unit of Cross Country Automotive Services, is one of the largest providers of connected vehicle services for the automotive industry, serving markets in North America and Western Europe. ATX telematics services are designed to enhance the safety, security and driving experience for vehicle owners, provide marketing and operational benefits to automobile original equipment manufacturers (OEMs) and their dealers and to augment real-time information to emergency responders. The technology relies upon management of two-way wireless voice and data communication between a subscriber's automobile and ATX content/data storage servers and call response centers. The ATX platform also includes off-board aggregation of various content/data and personal information, as well as integration of interactive or automated voice technologies to promote hands-free, in-vehicle interfaces.

ATX's proven capability in helping expedite emergency response when vehicle occupants encounter an accident or other calamity is the mainstay of its system. ATX services are now being deployed in much broader vehicle fleets. Expanding the scope of its technology and its inherent safety features across all vehicles is contingent on access to all NG9-1-1 platforms. With adequate network capacity, on scene information, an integral element of the NG9-1-1 environment, will be readily obtainable from telematics equipped vehicles.

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Two critical and related efforts present NG9-1-1's blueprint. The U.S. Department of Transportation's (DOT) NG9-1-1 initiative commenced with the Commission's own premise- the nation's current 911 system is designed around wireline telephone technology and cannot handle the text, data, images and video now pervasive in personal communications and critical to emergency response, transportation safety and mobility advances. After study and public input establishing core concepts, the DOT initiative conducted NG9-1-1 pilot programs examining the ability of public safety answering points (PSAPs) to receive voice, video, text, data and location information for wireless, VOIP and telematics transmissions. DOT's validation exercises showed NG9-1-1's enormous promise.

The important work of the National Emergency Number Association (NENA) and the Association of Public Safety Communications Officials, International (APCO) is at the forefront of a path to transmit information in varied formats from citizens facing an emergency to a PSAP, where it is comprehended and forwarded on to emergency responders. Once received by the PSAP, the fundamental objective remains- dispatching the most effective resources in an expeditious manner, yet the amount and type of information (voice, text or video) received will greatly surpass current 9-1-1 systems.[1] While separate and secure networks for emergency response and other public safety agencies will remain, NG9-1-1 will be part of larger systems, public and commercial, that must be integrated more effectively than legacy 911 networks. NENA's work comprehends that a significant challenge for NG9-1-1 is the coordination and cooperation across PSAPs and other public safety agencies at all levels of government.

In this context, NENA's effort has focused on what it refers to as its " i3" architecture, an Emergency Service IP network (ESInet) evolving around a network shared by emergency response agencies. The NENA network architecture presents a sound path to IP based networks and systems capable of communications across devices and agencies. The significant technical and logistic challenges are rivaled by varied interests that must ultimately converge. It is critical that the regulatory, finance and operations interests, public and commercial, across devices, infrastructure and networks coalesce and that the emergency response communications not evolve in isolation. [2]

As NG9-1-1 moves to greater clarity, open standard architecture and non-proprietary technology must prevail. Citizens expect all devices and networks to reach 9-1-1 seamlessly, a deficiency plaguing the legacy 9-1-1 system. Telematics experience and circumstances are relevant. Telematics' evolution has been market driven. Its use in vehicles is not mandated by Commission rules but its ability to locate meets or exceeds its standards. Telematics technology must be integrated into a vehicle; its compatibility within the technology platform is a complex challenge. If proprietary technology and closed standards become *de facto* gateways to NG9-1-1, what will result are costs to all devices and the continued fragmentation of the legacy system. Open standards will foster innovation and facilitate market and end-user driven solutions that will best meet the ever changing demands of technology development.

[1] NENA Comment Responding to *Public Notice 8* at page 11, APCO Comment at pages 11-13.

[2] AT&T Comment in Responding to *Public Notice 8* at pages 28-29 , Motorola Comment Responding *to Public Notice 8* at pages 4and 18, Comment of Verizon and Verizon Wireless to *Public Notice 8* at 13-14 and Comments of T-Mobile-USA, Inc. to *Public Notice 8* at page 6-11.

ATX's interest in effective and direct access to the PSAP centers on core precepts of highway and vehicle safety- advanced crash notification (ACN) and Dedicated Short Range Communications (DSRC) and their enhanced features that will emerge as wireless broadband becomes prevalent. Open standards and non proprietary technology allow communications systems and services to be designed for specific environments, such as the automobile, instead of needing to be fitted and structured around a proprietary standard that ages once it is announced. In the latter, additional elements and functionalities must be built around the aging platform; payment for access is usually the norm. Open standards and non proprietary technology to access the 911 network must prevail.

The Commission's statutory responsibility to promote public safety, its pervasive authority to regulate the range of communications formats and its recognized expertise emphasizes its leadership role in NG9-1-1. That success also involves the important work of DOT's National Highway Transportation and Safety Administration and the Commerce Departments' National Telecommunications and Information Administration's joint E9-1-1 Implementation Coordination Office, state and local PSAPS, and state and local public safety and emergency service agencies profiles the Commission's responsibility. Its historical role to respect and balance various responsibilities and interests is present here.

At stake is chartering a path avoiding the fragmentation of the 9-1-1 legacy system. The Commission is best able to move often competing interests to converge and embrace a NG9-1-1 system reflecting open standards and non proprietary technology capable of keeping pace with technology and consumer demand. Failing to lead will cause these laudable objectives to be mired in controversy and delay.

ATX urges the Commission to profile NG9-1-1 in its National Broadband Plan and to assume a leadership role in pursuing it becoming a reality.

Respectfully submitted,

Gary Wallace
Vice President, Corporate Relations